

Notice of Allowability

Application No.

10/026,953

Examiner

Brian L. Mutschler

Applicant(s)

CHAN ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 16 August 2004.
2. ☒ The allowed claim(s) is/are 9-20.
3. ☒ The drawings filed on 27 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20041213.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey Wyand on December 12, 2004.

The application has been amended as follows:

In the Title:

a. Please change the title to the following to better describe the invention:

COMPLEX WAVEFORM ELECTROPLATING

In the Claims:

a. In claim 19 at line 1, please change "claim 12" to --claim 14--.

b. In claim 20 at line 1, please change "claim 12" to --claim 14--.

2. The following is an examiner's statement of reasons for allowance:

The instant claims are distinguished over the prior art by providing a new complex waveform for electroplating an object. The waveform alternates between a positive portion and a negative portion, and the positive portion comprises a triangular waveform having an initial peak value that decreases from the peak value at a constant rate, and at least one spike superimposed on the triangular waveform. While the prior

art of record teaches many of the elements recited in the instant claims, the prior art does not teach or suggest the combination of elements.

U.S. Pat. No. 6,620,303 (Wong et al.; this reference includes at least two common inventors and appears to be commonly owned) discloses a process for electroplating using a triangular waveform having an initial peak that decreases at a constant rate and having a superimposed peak (figs. 3 and 4). The method produces extremely high quality surface finishes, but it does not, however, use reverse portions. Other prior art methods use reverse portions to partially deplate electroplated layers to form uniform surfaces. For example, Reid et al. (US 2001/0015321) and Matanabe et al. (U.S. Pat. No. 5,705,230) disclose the use of waveforms having both positive and negative portions. Matanabe et al. also teach the use of triangular waveforms having both positive and negative portions (see US '230 at col. 2, lines 43-58).

While the elements recited in the instant claims are known, none of the prior art references of record teach or suggest the combination of a waveform having positive and negative portions and a spike superimposed on the positive triangular portion. Since each method separately provides a process for forming a uniform surface, one skilled in the art would have no reason to combine the two processes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

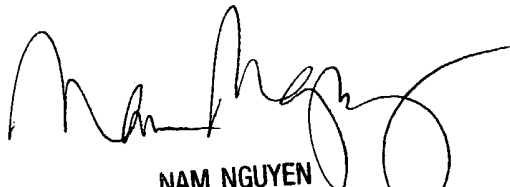
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Mutschler whose telephone number is (571) 272-1341. The examiner can normally be reached on Monday-Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BLM
December 13, 2004



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SUPERVISORY PATENT EXAMINER
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